

Regulatory Language

Subsection (b)(91.1) of Section 7.50, Title 14, CCR, is amended to read:

(91.1) Anadromous Waters of the Klamath River Below Iron Gate Dam (Lower Klamath River Basin). The regulations in this subsection apply only to waters of the Klamath River system which are accessible to anadromous salmonids. They do not apply to waters of the Klamath River which are inaccessible to anadromous salmon and trout, for example, portions of the Klamath River system upstream from Iron Gate Dam, portions of the Trinity River system above Lewiston Dam, and the Shasta River and tributaries above Dwinnel Dam. Fishing in these waters is governed by the General Regulations for non-anadromous waters of the North Coast District (see Section 7.00(a)(5)).

(A) Hook and Weight Restrictions:

1. Only barbless hooks may be used.
2. Definitions of Gap: For the purposes of this section, "gap" means the distance measured from the point of a hook to the shank.
3. Maximum Gaps and Gear Rigging.
 - a. No person shall use any single hook with a gap greater than 1 inch or any multiple hook with a gap greater than 3/4 inch.
 - b. It is unlawful to use any hook which is directly or indirectly attached closer than 18 inches to any weight exceeding 1/2 ounce.
 - c. It is unlawful to use any multiple hook or more than one single hook on non-buoyant lures exceeding one ounce.
 - d. It is unlawful to use any weight attached directly below a hook.
4. During closures to the take of adult salmon, anglers shall not remove any adult ~~king~~ chinook salmon from the water by any means, such as by dragging the fish on shore or using a net.

(B) General Area Closures:

1. No fishing is allowed within 750 feet of any Department of Fish and Game fish-counting weir.
2. No fishing is allowed from the Ishi Pishi Falls road bridge upstream to and including Ishi Pishi Falls from Aug. 15 through Nov. 1.
Exception: members of the Karuk Indian Tribe listed on the current Karuk Tribal Roll may fish at Ishi Pishi Falls using hand-held dip nets.
3. No fishing is allowed from Sept. 15 through Nov. 15 in the Klamath River within 500 feet of the mouths of the Salmon, the Shasta and the Scott rivers.

~~(C) Lower Klamath River Basin King Salmon Impact Quotas: NOTE: The Lower Klamath River Basin chinook salmon take is regulated using quotas. Accounting of the tribal and non-tribal harvest each year is closely coordinated during the period from August 1 through November 30. The term "impact quota" is the recreational catch of adult fall-run king salmon, plus the estimated number of adult fall-run king salmon lost as a result of hook-and-release mortality.~~

- ~~1. Quota for Entire Basin: The 2005 Klamath River basin quota is 1,262 king salmon over 22 inches. Separate quotas have been established from the mouth of the Klamath River to the Highway 96 bridge at Weitchpec and from the Highway 96 bridge at Weitchpec upstream to Iron Gate Dam, including the Trinity River from its confluence~~

with the Klamath upstream to the Old Lewiston Bridge. The restrictions triggered by quotas apply only during the period from August 1 through November 30. The department shall inform the commission, and the public via the news media, prior to any implementation of restrictions triggered by the quotas. (NOTE: A Department status report on progress toward the quotas for the various river sections is updated weekly, and available at 1-800-564-6479.)

a. Spit Area (within 100 yards of the channel through the sand spit formed at the Klamath River mouth): This area is closed to all fishing after 15% of the Klamath River basin impact quota has been taken below the Highway 101 bridge. (Note: This provision only applies if the department projects that the total Klamath River basin impact quota will be met.) In 2005, this number is 189.

b. Klamath River Below the Highway 96 bridge at Weitchpec: No salmon over 22 inches total length may be retained after 50% of the basin impact quota has been taken below the Highway 96 bridge at Weitchpec.

(i) No salmon over 22 inches total length may be retained on Tuesdays and Wednesdays from August 26, through November 30, 2005 or until the quota is met.

c. Klamath River from Iron Gate Dam to the Highway 96 bridge at Weitchpec

(i) No salmon over 22 inches total length may be retained from April 1 through July 31.

(ii) No salmon over 22 inches total length may be retained on Tuesdays and Wednesdays from September 1, through November 30, 2005 or until the quota is met.

(iii) No person shall retain any salmon over 22 inches total length after the department determines that 17% of the Klamath River basin impact quota has been taken in the Klamath River from Iron Gate Dam to the Highway 96 bridge at Weitchpec. Exception: King salmon over 22 inches total length may be retained from 3,500 feet below Iron Gate Dam to the Interstate 5 bridge when the department determines that the adult fall-run king salmon spawning escapement at Iron Gate Hatchery exceeds 8,000 fish.

d. Trinity River from the Old Lewiston Bridge to the Highway 299 West Bridge at Cedar Flat:

(i) No salmon over 22 inches total length may be retained on Tuesdays and Wednesdays from September 15, through November 30, 2005 or until the quota is met.

(ii) No salmon over 22 inches total length may be retained after 50% of the basin quota has been taken in the Klamath River basin above the Highway 96 bridge at Weitchpec. Exception: King salmon over 22 inches total length may be retained from the Old Lewiston Bridge to the mouth of Indian Creek when the department determines that the adult fall-run king salmon spawning escapement at Trinity River Hatchery exceeds 4,800 fish.

e. Trinity River main stem from the Highway 299 West bridge at Cedar Flat downstream to the Hawkins Bar Bridge (Road to Denny)

(i) Closed to all fishing from September 1 through November 30.

(ii) No salmon over 22 inches total length may be retained from the South Fork Trinity River downstream to the confluence with the Klamath River from April 1 through the Friday preceding Memorial Day.

f. Trinity River from Hawkins Bar Bridge (Road to Denny) downstream to the mouth of the Trinity:

~~(i) No salmon over 22 inches total length may be retained on Tuesdays and Wednesdays from September 1, through November 30, 2005 or until the quota is met.~~

~~(ii) No salmon over 22 inches total length may be retained after 50% of the basin quota has been taken in the Klamath River basin above Coon Creek Falls.~~

~~(DC) Klamath River Basin General Seasons and Bag and Possession limits:~~

~~In anadromous waters of the Klamath River basin, except for those with special bag limits provided in subsection (b)(91.1)(F) below, the daily trout/salmon bag limit is 3 king salmon, but no more than 1 king salmon over 22 inches total length, and 1 hatchery trout or 1 brown trout or 1 hatchery steelhead**.~~

1. All anadromous waters of the Klamath River Basin are closed to all fishing all year, except those listed in subsection (b)(91.1)(E) below.

2. Trout.

a. The trout daily bag limit is 1 hatchery trout or 1 hatchery steelhead**, and 1 brown trout.

3. Salmon.

a. All Chinook salmon are subject the quotas and size restrictions listed in subsection (b)(91.1)(D).

b. Unless otherwise noted in subsections (b)(91.1)(D) or (b)(91.1)(E), the salmon daily bag limit is 3 Chinook salmon, of which no more than 1 may be over 22 inches total length when the take of salmon over 22 inches total length is allowed.

c. No more than 2 kingChinook salmon over 22 inches total length may be retained in any 7 consecutive days when the take of salmon over 22 inches total length is allowed.

d. No more than 12 kingChinook salmon may be possessed, of which no more than 2 may be over 22 inches total length when the take of salmon over 22 inches total length is allowed. (Note: Salmon bag limits change in some areas when quotas are reached (see subsection (b)(91.1)(C) above).)

~~(E) All anadromous waters of the Klamath River Basin are closed to all fishing all year, except those listed in subsection (b)(91.1)(F) below.~~

(D) Klamath River Basin Chinook Salmon Quotas.

The Klamath River fall Chinook salmon take is regulated using quotas. Accounting of the tribal and non-tribal harvest is closely coordinated from August 1 through November 30 each year.

1. Quota for Entire Basin.

The 2006 Klamath River Basin quota is 0 Klamath River fall Chinook salmon over 22 inches total length.

a. Klamath River from Iron Gate Dam to the Highway 96 bridge at Weitchpec.

(i) No salmon over 22 inches total length may be retained from April 1 through November 30, 2006.

b. Klamath River Below the Highway 96 bridge at Weitchpec.

(i) No salmon over 22 inches total length may be retained from August 15 to November 30, 2006.

c. Trinity River main stem from the Old Lewiston Bridge to the Highway 299 West Bridge at Cedar Flat.

(i) No salmon over 22 inches total length may be retained from September 15 through November 30, 2006.

d. Trinity River main stem from the Highway 299 West bridge at Cedar Flat downstream to the Hawkins Bar Bridge (Road to Denny).

(i) Closed to all fishing from September 1 through November 30, 2006.

e. Trinity River main stem from Hawkins Bar Bridge (Road to Denny) downstream to the mouth of the Trinity River South Fork.

(i) No salmon over 22 inches total length may be retained from September 1 through November 30, 2006.

f. Trinity River main stem from the mouth of the Trinity River South Fork downstream to the confluence with the Klamath River.

(i) No salmon over 22 inches total length may be retained from April 1 through November 30, 2006.

~~(F)(E) Special Seasons. Daily Bag Limits, and Special Fishing Methods Restrictions for Waters of the Lower Klamath River Basin Which Have Open Fishing Seasons.~~

~~Waters listed below are closed to all fishing except during the open seasons listed. Bag limits are for trout and salmon in combination unless otherwise specified.~~

<i>Body of Water</i>	<i>Open Season and Special Regulations</i>	<i>Daily Bag Limit (if different from general bag limits in subsection (b)(91.1)(D) above)</i>
1. Bogus Creek and tributaries.	Fourth Saturday in May through Aug. 31. Only artificial lures with barbless hooks may be used.	0
2. Klamath River main stem from 3,500 feet below Iron Gate Dam to mouth.	All year.	Salmon Quota Area. See subsection subsections (b)(91.1)(C) above (D) 1.a. and (b) (91.1)(D) 1.b. for salmon restrictions. See subsection (b)(91.1)(C) 2. for trout bag limits.
3. Salmon River main stem, main stem of North Fork, below Sawyer's Bar Bridge and main stem of South Fork below the confluence of the East Fork of the South Fork.	Nov. 1 through Feb. 28.	0
4. Scott River main stem from mouth to Fort Jones-Greenview bridge.	Fourth Saturday in May through Feb. 28.	0

5. Shasta River main stem from Interstate 5 bridge north of Yreka to the mouth.	Fourth Saturday in May through Aug. 31 and Nov. 16 through Feb. 28.	0
6. Trinity River and tributaries.		
a. Trinity River main stem from 250 feet below Lewiston Dam to Old Lewiston bridge.	Last Saturday in Apr. 1 through Sept. 15. Only artificial flies with barbless hooks may be used.	0
b. Trinity River main stem from Old Lewiston bridge to the Highway 299 West bridge at Cedar Flat.	All year.	1 hatchery trout or 1 hatchery steelhead, or 1 brown trout. Salmon Quota Area. Subsection (b)(91.1)(C) above. <u>See subsection (b)(91.1)(D)1.c for salmon restrictions.</u> <u>See subsection (b)(91.1)(C)2. for trout bag limits.</u>
c. Canyon Creek above the falls located about four miles above the wilderness area boundary.	Last Saturday in Apr. through Nov. 15.	2
d. Trinity River main stem from the Highway 299 West bridge at Cedar Flat downstream to the Hawkins Bar Bridge (Road to Denny).	Dec. 1 through Aug. 31.	See subsection (b)(91.1)-(D) above <u>See subsection (b)(91.1)(D)1.d. for salmon restrictions.</u> <u>See subsection (b)(91.1)(C)2. for trout bag limits.</u>
e. New River main stem from the mouth upstream to the confluence of the East Fork.	Sept. 15 through Nov. 15. Only artificial <u>artificial</u> lures with barbless hooks may be used.	0
f. Trinity River main stem from Hawkins Bar Bridge (Road to Denny) to the confluence with the Klamath River <u>mouth of the</u>	All year.	1 hatchery trout or 1 hatchery steelhead, or 1 brown trout. Salmon Quota Area.

<u>Trinity River South Fork.</u>		Also see subsection (b)(91.1)(G) above (D)1.e. for <u>salmon restrictions.</u> See subsection (b)(91.1)(C)2. for trout bag limits.
<u>g. Trinity River main stem from the mouth of the Trinity River South Fork downstream to the confluence with the Klamath River.</u>	<u>All year.</u>	Also see subsection (b)(91.1)(D)1.f. for <u>salmon restrictions.</u> See subsection (b)(91.1)(C)2. for trout bag limits.
<u>g.h. Trinity River South Fork downstream from the mouth of Grouse Creek.</u>	Fourth Saturday in May through Mar. 31.	1 hatchery trout or 1 hatchery steelhead 0 kingChinook salmon See subsection (b)(91.1)(C)2. for trout bag limits.
<u>h.i. Trinity River South Fork from the mouth of Grouse Creek to the South Fork Trinity River bridge at Hyampom.</u>	Nov. 1 through Mar. 31.	1 hatchery trout or 1 hatchery steelhead 0 kingChinook salmon See subsection (b)(91.1)(C)2. for trout bag limits.
<u>i.j. Hayfork Creek main stem, from Highway 3 bridge in Hayfork downstream to the mouth.</u>	Fourth Saturday in May through Mar. 31. Only artificial lures with barbless hooks may be used.	0

** Hatchery trout or steelhead are those showing a healed adipose fin clip (adipose fin is absent). Unless otherwise provided, all other trout and steelhead must be immediately released. Wild trout or steelhead are those not showing a healed adipose fin clip.

NOTE:

Authority cited: Sections 200, 202, 205, 215, 220, 240, 315 and 316.5, Fish and Game Code. Reference: Sections 200, 205, 206, 215 and 316.5, Fish and Game Code.